

FILED

MAY 16 2016

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Clerk of Court

United States of America
v.
Hugo Eliseo Villarreal Betancourt
AKA
Mark Anthony Rodriguez

Case No.

M-16-0937-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 10, 2015 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 U.S.C. Section 911
18U.S.C. Section 1542

Offense Description

False Claim to United States Citizenship
False statement in a passport application and use of passport obtained by
false statement

This criminal complaint is based on these facts:

See the attached affidavit

☒ Continued on the attached sheet.Approved
J. R.

Complainant's signature

Matthew Jones, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

5/16/2016



Judge's signature

City and state:

McAllen, Texas

U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT FOR
Hugo Eliseo Villarreal Betancourt AKA Mark Anthony Rodriguez

1. I, Matthew Jones, being duly sworn, do hereby state that I am a Special Agent (SA) of the U.S. Department of State, Diplomatic Security Service (DSS), currently assigned to the Houston Field Office, Houston, Texas. My duties include conducting criminal investigations involving the use of counterfeit and fraudulently obtained passports, visas and other fraudulent identity documents.
2. The information in this affidavit is based on my personal knowledge of this case and upon information provided to me by other government agencies. The information in this affidavit is provided for the limited purpose of establishing probable cause. The information is not a complete statement of all the facts related to this case.
3. On March 7, 2013, an individual identifying himself as Mark Anthony Rodriguez (true name Hugo Eliseo Villarreal Betancourt) (hereafter referred to as SUBJECT) executed an application for a United States Passport (DS-11 #139199910) at the United States Post Office in McAllen, Texas. As proof of citizenship, SUBJECT presented City of Mission, Texas Certificate of Live Birth #007083 issued on July 31, 1999. As proof of identity, SUBJECT presented State of Texas identification card #19233871, which expired on June 17, 2005. As a result of the application, U.S. Passport Card Number C08655937 was issued to SUBJECT on November 5, 2013.
4. On November 10, 2015, SUBJECT executed another application for United States Passport (DS-11 #791980979) at the United States Post Office in McAllen, Texas, in order to obtain a U.S. Passport Book. As proof of citizenship, SUBJECT presented City of Mission, Texas Certificate of Live Birth #007083 issued on July 31, 1999. As proof of identity, SUBJECT presented U.S. Passport Card Number C08655937, issued to SUBJECT on November 5, 2013. On December 8, 2016, the Fraud Prevention Manager (FPM) referred this case to the Diplomatic Security Service (DSS), Houston Field Office (HFO), due to a Consular Consolidated Database facial recognition search that deemed SUBJECT matched the description of another individual who applied for a Nonimmigrant Visa in Mexico.
5. Based on the facial recognition results, a U.S. Consular Consolidated Database search for Nonimmigrant Visas revealed that on September 13, 2001, an individual identifying

himself as Hugo Eliseo Villarreal Betancourt (SUBJECT), born August 15, 1978 in Tamaulipas, Reynosa, Mexico, presented himself to the U.S. Consulate, Matamoros, Mexico for an interview to obtain a nonimmigrant visa, visitor for business and pleasure (B1/B2 visa). On September 27, 2001, visa foil number MTM000331993 was issued and printed in Mexico passport number A085417483, belonging to SUBJECT.

6. On December 16, 2006, SUBJECT submitted U.S. Department of State form DS-157, nonimmigrant visa application to the U.S. Consulate, Matamoros, Mexico for a B1/B2 visa. The visa was refused for presenting false documents in support for the visa application.
7. On August 10, 2010, SUBJECT submitted U.S. Department of State form DS-160, Application for nonimmigrant visa to U.S. Consulate, Matamoros, Mexico. On August 26, 2010, visa foil number C1450225 was issued and printed in Mexico passport number F14894139, belonging to SUBJECT.
8. During the application process for a nonimmigrant visa, the U.S. Department of State, Bureau of Consular Affairs collects an applicant's biographic data, which includes fingerprints, and enrolls the fingerprint data into the Department of Homeland Security's (DHS) Automated Biometric Identification System (IDENT). IDENT is the central DHS-wide system for storage and processing of biometric and associated biographic information for national security, law enforcement, immigration and border management, intelligence, background investigations and other administrative uses. The U.S. Department of State searches and enrolls biographic data it collects from visa applicant into IDENT, which assists in determining identity and visa eligibility.
9. During the 2001, 2006 and 2010 nonimmigrant visa applications at the U.S. Consulate, Matamoros, Mexico, SUBJECT's biographic data, including fingerprints was collected and submitted into IDENT. As a result of these submissions, SUBJECT was assigned Fingerprint Identification Number (FIN) 9914754, which is unique to SUBJECT.
10. On February 9, 2016, the Texas Department of Public Safety's Crime Records Service – Fingerprint Section, provided fingerprints obtained from SUBJECT when he submitted them for a teaching license using the alias, Mark Anthony Rodriguez. The fingerprints are associated with fraudulently obtained Texas driver's license number 37134635, issued April 23, 2013, in which SUBJECT's photograph appears.

11. On February 16, 2016, the fingerprints obtained from the Texas Department of Public Safety Crime Records Service were submitted to IDENT for analysis. The results of the submission indicated a match of the fingerprints to FIN 9914754, belonging to Hugo Eliseo Villarreal Betancourt, (DOB: 08/08/1978). IDENT also provided photographs of the individual, which appear to be SUBJECT. These results indicate that based on biometric analysis, Hugo Eliseo Villarreal Betancourt and Mark Anthony Rodriguez are the same person.
12. SUBJECT has made approximately 192 border crossings from Mexico to the U.S. from November 15, 2013 to March 14, 2016, where he made false claims to being a U.S. Citizen and gained entry by using fraudulently obtained U.S. Passport Card Number C08655937. Based on his crossing history, SUBJECT continues to cross the Mexico – U.S. border weekly, knowingly and willfully using the fraudulently obtained U.S. Passport Card.
13. On December 25, 2015, SUBJECT crossed from Mexico into the U.S. by vehicle at the Pharr Port of Entry, using fraudulently obtain U.S. Passport Card Number C08655937, with a passenger identified as Delifa Betancourt Rivera (DOB: 05/21/1950). On the 2006 nonimmigrant visa application SUBJECT submitted at the U.S. Consulate, Matamoros Mexico, he listed Delifa Betancourt Rivera as his mother. This leads to further confirmation as to SUBJECT's true identity.
14. SUBJECT possesses a valid, fraudulently obtained, State of Texas Identification Card (DL# 36991910), issued on March 14, 2013, and a valid, fraudulently obtained, State of Texas Driver's License (DL# 37134635), issued on April 23, 2013. For proof of identity, SUBJECT provided a McAllen Memorial Library Card, fraudulently obtained Social Security Card # 466-15-5678 and fraudulently obtained City of Mission, Texas certificate of birth number 185.
15. SUBJECT is a self proclaimed Mexican citizen and national with no legitimate claims to U.S. citizenship. SUBJECT has made false claims of U.S. Citizenship in order to obtain a U.S. Passport Card and has used that U.S. Passport card to gain admittance into the U.S. on approximately 192 occasions. SUBJECT has acquired documents associated with a true identity, and continues to commit fraud in the U.S. by obtaining a Texas

Identification card, social security card and currently seeking to obtain a U.S. Passport Book.

16. Based on the foregoing facts, I respectfully request an arrest warrant be issued for Hugo Eliseo Villarreal Betancourt AKA Mark Anthony Rodriguez



Matthew Jones, Special Agent

Subscribed and sworn before me this 16th day of May 2016.



DORINA RAMOS
United States Magistrate Judge